

SENATE BILL REPORT

SSB 5300

As Passed Senate, March 4, 2011

Title: An act relating to enhancing the use of Washington natural resources in public buildings.

Brief Description: Enhancing the use of Washington natural resources in public buildings.

Sponsors: Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senators Hargrove and Ranker).

Brief History:

Committee Activity: Natural Resources & Marine Waters: 2/03/11, 2/21/11 [DPS].
Passed Senate: 3/04/11, 46-2.

SENATE COMMITTEE ON NATURAL RESOURCES & MARINE WATERS

Majority Report: That Substitute Senate Bill No. 5300 be substituted therefor, and the substitute bill do pass.

Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton, Ranking Minority Member; Fraser, Hargrove, Stevens and Swecker.

Staff: Sherry McNamara (786-7402)

Background: In 2005 the Legislature enacted High-Performance Building Standards requiring all major facility projects funded in the capital budget, or projects financed through a financing contract as established by law, to be designed, constructed, and certified to at least the United States Green Building Council Leadership in Energy and Environmental Design (LEED™) Silver standard. This requirement applies to any entity, including public agencies and public school districts, although the school districts may use the Washington Sustainable School Design Protocol.

The stated purpose of the standard is to improve the built environment and emphasize design and construction practices that reduce energy consumption and water use, improve indoor air quality, and minimize the impact on the natural environment.

LEED™ is a fee-based third-party certification. It is based on a point system, focusing on six major areas: sustainable sites; water efficiency; energy and atmosphere; materials and resources; indoor environmental quality; and innovation and design process. LEED™ certification has four ranks: LEED™ Certified, LEED™ Silver, LEED™ Gold, and

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Summary of Substitute Bill: When determining compliance with the requirement for a project to be designed, constructed, and certified to at least the LEED™ Silver standard, the Department of General Administration and the Superintendent of Public Instruction must credit one additional point for a project that uses wood products with a third party certification or from forests regulated under Washington's Forest Practices Act.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: LEED™ discriminates against wood grown in Washington. Sixty percent of Forest Stewardship Council (FSC) certified wood is imported from other countries. FSC is too prescriptive and does not benefit the environment. Washington's forest practices are the most stringent laws in the country for practicing forest. LEED™ certification is costly to our state in terms of paying for each building to be certified.

CON: LEED™ standards have evolved; 35 states have incorporated this standard into law or their building standards. Washington is 10th in the nation with LEED™ buildings. LEED™ provides two points for local resources and one point for wood certification out of a total of 110 possible points. This bill jeopardizes the incentive for seeking the LEED™ standard. Don't make this about wood versus concrete, especially when looking at local resources and jobs.

Persons Testifying: PRO: Senator Hargrove, prime sponsor; Steve Stinson, Cowlitz Ridge Tree Farm; Teresa Loo, Port Blakely Tree Farms; Robert Meier, Rayonier; Hans Bernard, Green Building Initiative; Debora Munguia, Washington Forest Protection Association; Anthony Chavez, Weyerhaeuser.

CON: Randy Cook, TCF Architecture, American Institute of Architects (AIA); Ronald Rochon, The Miller Hull Partnership, AIA; Clifford Traisman, Miguel Perez-Gibson, Washington Environmental Council; Joel Sisolak, Cascadia Green Building Council; Bruce Chattin, Washington Aggregates, Concrete Association; Tonia Neal, Washington State Conference of Mason Contractors.